

UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

THERON JOHNNY MAXTON,  
Plaintiff

v.

M.D. KEVIN PIGOS, *et al.*,  
Defendants

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: CIVIL NO. 1:13-CV-1213  
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*O R D E R*

AND NOW, this 12th day of June, 2013, upon consideration of the Report and Recommendation ("R&R") of Magistrate Judge Blewitt (Doc. 7), to which no objections have been filed, and upon independent review of the record, the court finds no error in the R&R and concludes that the R&R should be adopted. Accordingly, it is ORDERED that:

1. The R&R (Doc. 7) is ADOPTED.
2. Pursuant to the magistrate judge's recommendation, it is ordered as follows:
  - a. Plaintiff's request that the court direct the BOP to remove him from the Special Housing Unit at USP-Lewisburg and to transfer him to an outside medical facility is DISMISSED with prejudice.
  - b. Plaintiff's claims for damages against Defendants in their official capacities are DISMISSED with prejudice.
  - c. Plaintiff's request for a specific amount of monetary damages (Doc. 1 at 4) is STRICKEN from the complaint.
  - d. Plaintiff's claims against Defendants BOP Regional Director and BOP Director Samuels are DISMISSED with prejudice.

- e. Plaintiff's claims against Defendant Health Services Administrator are DISMISSED without prejudice.
- f. Plaintiff's denial of medical care claims against Defendants Pigos, Francis, and Alama are permitted to proceed.
- g. This case is remanded to Magistrate Judge Blewitt for further proceedings, including an R&R on dispositive motions if necessary.

/s/ William W. Caldwell  
William W. Caldwell  
United States District Judge